

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

February 3, 2010

Charles R. Fulbruge III
Clerk

No. 09-40124

Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

BUOKAI SONSING PEELER,

Defendant-Appellant

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:07-CR-17-1

Before KING, STEWART, and HAYNES, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Buokai Sonsing Peeler has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Peeler has not filed a response. Our independent review of the record and counsel's brief discloses no nonfrivolous issue for appeal.

The record does reveal a clerical error in the judgment. The judgment reflects that Peeler was assessed a \$200 fine. However, the district court actually ordered Peeler to pay \$200 in restitution.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2. This matter is REMANDED for correction of the clerical error pursuant to FED. R. CRIM. P. 36.